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RUEHKO/AMEMBASSY TOKYO 2576  
RUEHCG/AMCONSUL CHENNAI 7191  
RUEHBI/AMCONSUL MUMBAI 4980  
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C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 002078

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TAGS: [PREL](#) [PTER](#) [PGOV](#) [CE](#)

SUBJECT: AMBASSADOR DISCUSSES JAFFNA, HUMAN RIGHTS, AND THE  
NEED FOR QUICK ACTION ON A PEACE PROPOSAL WITH RAJAPAKSE  
BROTHER

REF: A. A. COLOMBO 2020

[1](#)B. B. COLOMBO 2051

Classified By: Ambassador Robert O. Blake, Jr. for reasons  
1.4 (b) and (d).

[1](#)1. (C) Summary: Ambassador met on December 15 with Basil Rajapakse, the brother and chief political advisor of President Rajapakse, to urge that the President address the deteriorating human rights situation and problems in Jaffna, and that the President urge as rapid consideration as possible of devolution proposals by the All Parties Representative Committee. Basil briefed the Ambassador on several actions the GSL had taken on the humanitarian front in Jaffna in response to our concerns. The Ambassador urged a parallel political outreach to address human rights concerns. Basil indicated President Rajapakse had convoked all the military commanders on human rights day to impress upon them the importance of respecting human rights (which was little reported publicly), and had also instructed Army Commander Fonseka to visit Vakarai to convey that same message to commanders on the ground there. Basil said he also planned to meet with Human Rights Minister Samarasinghe over the weekend to go over some of the points raised by the Ambassador. On the devolution proposal, Basil explained that once the outlines of a proposal are ready, the GSL hopes to hold a series of public hearings around the country, including in the North and East, to hear the views of all citizens so the President can tell the JVP and others that the power-sharing proposal is a truly indigenous document reflecting the views of the people. (This is the first we have heard of such an idea; we shall seek further details.)  
End Summary

Jaffna

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[1](#)2. (C) Basil opened by explaining he had been briefed by the Foreign Minister on the Ambassador's trip to Jaffna (ref b) and wanted to brief the Ambassador on the actions the GSL had taken on the concerns we had raised. With respect to the humanitarian situation, Basil reported that the GSL had accelerated the number of ships carrying food and other

supplies: 13,250 metric tons had been delivered in the last week alone, and the GSL's goal was to deliver 32,900 MT of supplies per month by January 2007. This total compares favorably with the average of 27,000 MT of food and other supplies going up to Jaffna by road and sea prior to the closure of the A-9 in August.

13. (C) To address the livelihood problem, Basil said he had met with the Navy Commander to ask him to visit Jaffna and devise a plan to allow more Jaffna fishermen to restart their fishing. The government also arranged for 6,000 MT of building supplies to be delivered to Jaffna to help restart construction and NGO job-creation activities, and airlifted large quantities of agricultural seed to give a boost to local farmers. To address power shortages, the GSL had increased the operating hours of Jaffna's power plant from 18 to 20, and had shipped three additional tankers so diesel and kerosene could be more efficiently and widely distributed. To address the inability of local Jaffna residents to leave, the GSL had arranged for flights to fly five times a day (vice the earlier two) and had also made available more seats on sea-going vessels.

14. (C) Ambassador welcomed these measures, but stressed the GSL needed to take a parallel political outreach effort to convey its concern about the needs and welfare of the Tamil population in Jaffna. Job one was to put an end to human rights abuses by the security forces and the EPDP and Karuna militias that operate under government cover. Ambassador also suggested that Basil himself travel up to Jaffna and meet with Tamil leaders such as the Bishop of Jaffna to hear first-hand their concerns. Basil thought that was a good idea but worried he might undercut the authority of EPDP

COLOMBO 00002078 002 OF 003

leader and Minister Devananda. Ambassador explained frankly that to most Tamil residents of Jaffna, the EPDP was a big part of the problem and would not be a good choice to head an outreach effort. Basil said he already had arranged to meet the Bishops to hear from them.

Human Rights  
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15. (C) Ambassador reviewed USG concerns about the deteriorating human rights situation around the country, highlighting: (a) the collapse of civil society because of fears that anyone who speaks out risks being kidnapped or killed by the LTTE, Karuna, EPDP or security forces; (b) the need for the GSL not only to investigate killings, but also to punish those found guilty since not one investigation of the hundreds of killings that had taken place had resulted in a conviction or punishment; (c) the need for the GSL to resolve the legal dispute that had prevented the effective functioning of the Constitutional Council (CC) and then allow the Council to appoint a new, independent head of the Human Rights Commission; and (d) the need for the President himself to publicly demonstrate leadership on the human rights issue, without which the military would pay no attention. The Ambassador also presented a report prepared for USAID as part of Democracy and Governance Assessment: Sri Lanka, which outlined in some detail the serious deterioration of human rights since 2005.

16. (C) Basil responded to each of these points. He indicated that investigations had also not been able to determine the culprits behind assassinations or attempts against government figures such as the attack on his brother the Defense Secretary. Better investigative capabilities and laws were needed, he said. But the culprits were also good at covering their tracks. As an example, he cited the killing of five students in Trincomalee. The President had ordered the weapons of all the military personnel confiscated so they could be checked against the bullets removed from the victims. 30 soldiers were also detained. But subsequent investigation showed that none of the bullets matched the

confiscated guns. If any of the soldiers was guilty, Basil said, he was careful to use a different gun, so all 30 soldiers were released for lack of evidence.

17. (C) With respect to the HRC, Basil noted that the current HRC Chairman had only just died of natural causes, which gave the GSL a good opportunity to fill the position. The Ambassador stressed the importance of the CC performing that task so the nominee would not be seen as a government lackey.

With respect to the President, Basil noted that the President had convoked all the military commanders on human rights day to impress upon them the importance of respecting human rights (which was not widely reported publicly), and had also instructed Army Commander Fonseka to visit Vakarai to convey that same message to commanders on the ground there (this was reported in some papers today). Basil said he also planned to meet with Human Rights Minister Samarasinghe over the weekend to go over some of the points raised in the AID paper.

#### Peace Proposal

18. (C) Ambassador urged the GSL to accept a cease-fire to help prepare the ground for talks. He also urged that Basil and the President do everything they can to ensure speedy consideration by the All Parties Representative Committee of the Experts Committee reports on devolution so that a credible power-sharing proposal could be tabled. Basil explained the political importance of a deliberate APRC process. He cited the previous history of constitutional amendments in 1972 and 1976 when the Governments of the time held public hearings. Basil indicated the GSL wanted to pursue a similar approach. Hearings around the country would enable the Government to listen to the views of voters

COLOMBO 00002078 003 OF 003

everywhere, including in the northeast. The President would then be able to tell the JVP and others that the power-sharing proposal was a truly indigenous document reflecting the views of the people. Basil also remarked that a listening exercise in the north and east would make it more difficult for the LTTE to reject the document. Ambassador asked whether the public hearings would have to precede talks with the LTTE. Basil said the GSL was still thinking through sequencing, but thought the two activities might be able to occur concurrently since the initial package that would be presented to the LTTE would have to be subject to negotiation.

#### Comment

19. (C) It was clear Basil had given some thought to all the issues raised by the Ambassador and that the GSL had made a good faith effort to address many of them. His comment on the GSL's need to hold public hearings on the outlines of a possible power-sharing proposal was the first we have heard of such an idea. It is difficult to know whether this reflected only Basil's personal musings or something that has received wider consideration. Post will seek further clarification of GSL thinking on this.

BLAKE